Eileen I. McKillop, Oregon Bar No. 085599 mckillope@lanepowell.com LANE POWELL PC 1420 Fifth Avenue, Suite 4200 P.O. Box 91302 Seattle, WA 98111-9402 Telephone: 206.223.7087

Facsimile: 206.223.7107

Attorneys for Defendant Safeway, Inc.

UNITED STATES DISTRICT COURT DISTRICT OF OREGON PORTLAND DIVISION

TRAVELERS INDEMNITY COMPANY, a foreign insurer,

Plaintiff,

Case No. 3:14-CV-00127-BR

[PROPOSED] ORDER OF DISMISSAL OF DEFENDANT SAFEWAY, INC.

V.

MARION CONSTRUCTION COMPANY, an Oregon corporation; R2M2 REBAR & STRESSING, INC., an Oregon corporation; SAFEWAY, Inc., a California corporation,

Defendants.

ORDER

Based on the foregoing stipulation, it is hereby ORDERED, ADJUDGED, and DECREED that Plaintiff Travelers Indemnity Company's claims against Defendant Safeway, Inc. are hereby dismissed without prejudice and without an award of costs or attorneys' fees to any party.

DATED this 24° day of July, 2014.

UNITED STATES DISTRICT JUDGE

ORDER DISMISSING DEFENDANT SAFEWAY, INC. - 1

008501.0031/6073178.1

LANE POWELL PC

By: /s/ Eileen I. McKillop
Eileen I. McKillop, OSB No. 085599
Attorneys for Defendant Safeway, Inc.

LETHER & ASSOCIATES PLLC

By: /s/ Thomas Lether
Thomas Lether, OSB No. 101708
Eric J. Neal, OSBA 110268
Attorneys for Plaintiff Travelers Indemnity Company